

REMARKS

Claims 1-3 and 5-6 are pending in the application with Claim 1 being the sole independent claim and Claim 4 hereby cancelled.

Claims 1, 2, 5 and 6 were rejected under 35 U.S.C. §103(a) as being unpatentable over Eromaki et al. (U.S. Patent No. 6,748,249) in view of Nguyen et al. (U.S. Patent Application Pub. No. 2003/0103041). Claim 3 was rejected under 35 U.S.C. §103(a) as being unpatentable over Eromaki et al. in view of Nguyen et al. and in further view of Humphreys et al. (U.S. Patent Application Pub. No. 2003/143961).

It is gratefully acknowledged that Claim 4 was objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding the rejection of Claim 1 under §103(a), the Examiner stated that Eromaki et al. in view of Nguyen et al. render the claim obvious. Amended Claim 1 incorporates allowable subject matter of the original Claim 4. Amended Claim 1 teaches a portable digital communication device that has a cylindrical lens housing and a shutter key. Eromaki et al., Nguyen et al., either singularly or in combination, fail to disclose or suggest the teaching recited in Amended Claim 1 as “ the cylindrical lens housing having a camera lens exposed between a side surface of the main housing and a bottom surface of the main housing, the cylindrical lens housing rotating about an axis which is parallel to and spaced a predetermined distance from a virtual plane on which the first and second key pads linearly move, the camera lens being rotatably mounted between the side surface and the bottom surface.”

Clearly, Amended Claim 1 structurally differs from Eromaki et al., Nguyen et al., either singularly or in combination.

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In view of the preceding amendments and remarks, it is respectfully submitted that all pending claims herein, namely Claims 1-3 and 5-6, are in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Paul J. Farrell", is written over a horizontal line.

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